

V. REMARKS

The Office Action requires substitute dependent claims that are in compliance with 37 CFR 1.52(a) and (b) and advises that the dependent claims should comply with MPEP 608.01 (n). The Office Action asserts that it is not clear whether claims 3 and 4 are dependent or independent and whether "a controller" in claim 3 is the same controller in claim 1 if claim 3 includes all of the limitations of claim 1. The claims are amended to obviate the objection. The Applicant respectfully advises the Examiner that the issues hereunder are believed to have been adequately addressed. The Applicant welcomes the Examiner's further comments and clarifications if anything further might be required. Withdrawal of the objection is respectfully requested.

Claims 3-6, 8, 11 and 14 are rejected under 35 USC 112, second paragraph, as indefinite for allegedly failing to particularly point out and distinctly claimed the subject matter of the invention. As a result of canceling claim 1 and amending claims 3 and 4, it is respectfully submitted that this rejection has been overcome.

Withdrawal of this rejection is respectfully requested.

Claims 1, 2, 7, 9, 10, 12, 13, 15 and 16 are rejected under 35 USC 102 (b) as being anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Fujiwara (JP 2000121192). The rejection is respectfully traversed.

Fujiwara teaches a cryogenic chiller which provides energy savings. The energy savings occur as a result of its operation that is controlled depending on a desired cryogenic temperature. The cryogenic chiller cools a superconducting magnet that is provided with an inverter between a power supply and a compressor unit. A refrigerating unit is fixed with a temperature sensor and the temperature in a shield is detected as the temperature of a superconducting magnet. An output signal from the temperature sensor is inputted to a controller for controlling the inverter. The controller controls the inverter based on the output signal from the temperature sensor.

Independent claim 1 as well as those claims that depend therefrom has been canceled.

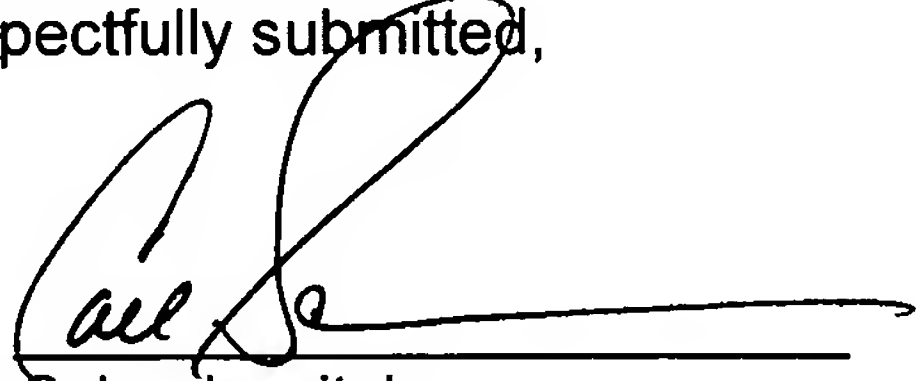
Withdrawal of the rejection is respectfully requested.

It is respectfully submitted that the pending claims are believed to be in condition for allowance over the prior art of record. Therefore, this Amendment is believed to be a complete response to the outstanding Office Action. Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to set forth further arguments and remarks supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

By: 
Carl Schaukowitz
Reg. No. 29,211

Date: May 15, 2008

RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W. Suite 501
Washington, D.C. 20036
Tel: (202) 955-3750
Fax: (202) 955-3751
Customer No. 23353

Enclosure(s): Amendment Transmittal

DC314421.DOC